



Judicial Council of California
Administrative Office of the Courts

Trial Court Financial Policies and Procedures

Procedure No.
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**TRAVEL EXPENSE REIMBURSEMENT FOR
TRIAL COURT JUDGES AND EMPLOYEES**

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Travel Expense Reimbursement for Trial Court Judges and Employees

1.0 Purpose

The purpose of this policy and the procedures that follow is to define the rules and limits that must be observed when arranging, engaging in, or claiming reimbursement for travel on court business.

2.0 Policy Statement

1. It is occasionally necessary for trial court judges and employees to travel in the course of performing their official duties. It is the intention of the trial court to reimburse its judges and employees for their reasonable and necessary travel expenses incurred while traveling on court business within the limits of the trial court's maximum reimbursement guidelines. Under Government Code section 69505, the AOC's travel rate guidelines must be used. All exceptions to the published AOC travel rate guidelines must be submitted in writing and have prior approval in accordance with alternative procedures guidelines established in AOC FIN 1.01, 6.4 (2).
2. On an annual basis, the Administrative Director of the Courts shall recommend policies and schedules for reimbursing travel expenses, and procedures for processing reimbursement requests.¹ These policies, schedules and procedures shall be approved by the Judicial Council and followed by the trial court.

¹ Government Code 69505 (a).

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4.0 Application

This policy applies to all trial court judges, officials and employees for all in-state, out-of-state, and international travel on court business.

5.0 Definitions

The terms defined below apply to this policy and are for the express purpose of interpreting this policy.

1. **Mileage Claim.** A form used to record the reimbursable mileage claimed for the use of a judge's or employee's personal vehicle in conducting trial court business.
2. **Receipt.** A written record received upon payment for goods or services that itemizes the goods or services received and the price paid for them.

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3. **Travel Reimbursement Claim.** A form used to record business travel costs when requesting reimbursement. The form must be signed by the person requesting reimbursement, their appropriate approval level, and accompanied by appropriate receipts before payment of the claim may be processed.
4. **Travel Request.** A form used to obtain approval for planned business travel prior to making travel arrangements. Travel costs incurred without a completed Travel Request form may be subject to rejection when reimbursement is requested.

6.0 Text

The trial court is responsible for developing and implementing a system for the submittal and approval of travel expense reimbursement claims that is impartial and appropriate, and that complies with the policies, schedules and procedures approved by the Judicial Council.² The minimum standards for travel expense reimbursement are provided below.

6.1 Arranging for Travel

1. All travel required for trial court business shall be approved by the traveler's appropriate approval level prior to making travel arrangements.
2. Trial courts may decide to allow judges and employees to make their own travel arrangements, provided they are to the economic or other benefit of the trial court. This procedure must be documented at the individual courts that make this decision.

² Government Code 69505 (b).

6.1.1 Approval to Travel

Judges and employees who need to travel on court business shall complete a Travel Request Approval form and submit it to their appropriate approval level. Travel reservations and other arrangements should not be made until the appropriate approval level has signed the Travel Request Approval. Out-of-state or international travel requires the approval of the Presiding Judge or written designee.

6.1.2 Travel Reservations

Trial court judges and employees may travel by plane, train, bus, private or trial court–owned vehicles, rented car, taxi, or other means, whichever suits the needs of the trial court most economically and advantageously. Travel reservations should be made through a travel planner designated by the trial court. Arrangements for business travel involving airfare and car rentals should be made through the court-designated travel planner. Judges and employees may elect to make their own hotel reservations or may use the court travel planner.

6.1.3 Use of Trial Court and Personal Vehicles

1. Anyone who operates a vehicle on court business must hold a valid California driver's license, a good driving record, and have an approved Annual Certification on file. The traveler's appropriate approval level determines the most economical method of transportation. Prior to authorizing the use of a personal vehicle, the approver will ensure personal liability insurance requirements have been satisfied. However, unless it is a condition of employment, employees are not required to use their personal vehicle for business purposes. Requests for the use of trial court-

owned vehicles should be submitted immediately after approval of a travel request requiring a vehicle.

2. To determine if a driver has a valid license and a good driving record, courts should request drivers' records from the Department of Motor Vehicles at time of hire for employees who are expected to travel on court business and regular intervals thereafter (i.e. annually).
3. The Department of General Services, Office of Risk and Insurance Management (ORIM) recommends frequent drivers attend and successfully complete an approved defensive driver-training course at least once every four years.
4. Information about the State of California's Defensive Driver-Training courses is available on-line at <http://www.orim.dgs.ca.gov>. Questions on this program may be directed to ORIM at (916) 376-5311 or email: ddt@dgs.ca.gov.

6.1.4 Commercial Vehicle Rental Policy

1. The State of California contracts with commercial vehicle rental companies some of who are participating in the American Express Business Travel Account program (BTA). The state contracts include \$500,000 liability insurance and full collision waivers for rented vehicles.
2. It is essential that court officers and employees receive authorization from the appropriate approval level prior to traveling. Trial court policy is to use one of the commercial vehicle contractors whenever vehicle rental is authorized, unless circumstances as outlined within these procedures prevent it.

3. Upon authorization of commercial vehicle rental, travelers are required to use one of the commercial vehicle contractors unless circumstances prevent it (e.g., when no commercial vehicle contractor is available at a specific location).
4. In the event that a traveler finds a rate less than that offered through the state contract, the state rate must still be used since the lesser rate will not include the \$500,000 liability insurance under the terms of the state contract.
 - a. The use of a non-contracted vendor requires pre-approval in writing by the traveler's appropriate approval level.
 - b. Written justification for the use of a non-contracted vendor should accompany the traveler's request for reimbursement.
5. Substantiation for Upgrade
 - a. A traveler must rent a compact vehicle unless there is a reason for a larger vehicle - such as five or more travelers commuting together, or a need for extra luggage space to transport equipment, conference materials or the like. In such a case, an upgrade for another type or size of vehicle (such as an intermediate-size car, mini-van, or a cargo van) may be utilized, with prior approval of the traveler's appropriate approval level.
 - b. If a larger or upgraded vehicle is necessary, written substantiation for the rental must be attached to the traveler's request for reimbursement.
6. The liability insurance will not be activated unless one of these acceptable methods of payment is used:
 - a. An American Express Business Travel Account
 - b. An American Express Corporate Charge Card, clearly marked "State of California."
 - c. State of California Department General Services Charge Card

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7. When renting a vehicle from any of the state's commercial vehicle rental companies, it is unnecessary for travelers to sign up for collision insurance (Collision Damage Waiver (CDW)), Loss Damage Waiver (LDW), or medical insurance (called "personal accident insurance").
8. The use of a non-contracted vendor must be pre-authorized by the traveler's appropriate approval level and written justification attached to the travel expense claim is necessary. On those rare occasions when it is necessary to rent a vehicle from a non-contracted vendor (i.e., when no car is available or the type or the size of vehicle needed is unavailable from the vehicle rental company with the state contract), the traveler should not sign up for insurance.

The State of California Motor Vehicle Liability Program provides automobile liability insurance coverage to court employees on official court business. If the use of a non-contracted vendor is justified, the liability insurance offered through this program will provide adequate coverage for travelers on official court business. If the use of the vendor is not adequately justified, the liability insurance is not applicable and any accident related expenses will be the responsibility of the traveler's court.

9. All out-of-state and international travel requires pre-approval in writing from the Presiding Judge or his/her designee. ORIM recommends buying liability insurance coverage for international travel and will assist in obtaining it in accordance with the laws of the foreign country.
10. Contract rental vehicles are to be used only for conducting official court business. A traveler who wishes to extend the rental of a vehicle for personal use should arrange it with the commercial

vehicle rental contractor when making reservations and before picking up the vehicle.

- a. At the end of court business, the traveler must close out the court contract rental agreement (either at the original vendor location or another mutually agreed upon location) and have a new rental agreement drawn for the term of personal travel.
- b. The rate charged by the vendor for the term of personal travel is between the traveler and the commercial vehicle rental company, does not include the insurance benefit identified above, and must be completely separate and apart from the court contract.
- c. If personal travel is interrupted by official court business, the traveler may be reimbursed for the court business mileage at the authorized personal vehicle mileage rate or have a new rental agreement drawn for the term of the official court business (whichever is less costly).

6.1.5 Discount Airfares for Official Business

1. The State of California contracts for city pairs with domestic airlines. These contracts provide discounted airfares, referred to as YCAL, for travel between various California city pairs and numerous out-of-state destinations. Cost savings may be achieved through these contracted fares as they are unrestricted and not subject to limited seating.
2. Discounted fares are available to trial court employees traveling on official court business when ordering directly from an airline or from an authorized travel agent. Acceptable methods of payment include:
 - a. An American Express Business Travel Account; and

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- b. An American Express Corporate Charge Card, clearly marked “State of California.”
3. The YCAL airfares are available online at www.ofa.dgs.ca.gov/Services/AirFare.htm for future reference.

6.1.6 Exception Request for Lodging

1. A request for a lodging exception is allowed for business travel when lodging above the maximum rate is the only lodging available, or when it is cost-effective.
2. An Exception Request for Lodging form and supporting documentation must be submitted in advance of travel and must be approved by the appointing power designee (Presiding Judge or designee). Under no circumstances may an appointing power designee approve his or her own Exception Request for Lodging form.³
 - a. **Pertaining Only to In-State-Travel.** Because employees do not have control over where non-state-sponsored business is conducted, reimbursement of actual expenses, supported by receipts is authorized, without the approval of an Exception Request for Lodging form if the participant stays at the conference, convention, or meeting site. In all instances, the traveler must attach substantiating documentation (such as a registration form or an agenda) to the travel expense claim.

³ The Victim Compensation and Government Claims Board (BOC) authorize this procedure. Although Government Code section 69505 requires the Administrative Director of the Courts to annually recommend to the Judicial Council policies, schedules, and procedures for reimbursement of travel expenses for judges and employees of the trial courts, the BOC is authorized to adopt regulations for travel reimbursement for the State judicial branch officers and employees per Government Code Section 13920. To that extent, the BOC regulations govern the travel guidelines throughout the judicial branch. As long as local policy falls within the guidelines identified within this section, the trial court may adopt additional procedures that are applicable to the lodging exception requests. Form replacement or substitution may be submitted for consideration to the AOC's Internal Audit and Trial Court Fiscal Services units per Procedure FIN 2.02, Internal Controls.

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3. **Exception Request Criteria.** The following criteria have been established for use in the consideration of exception requests:⁴
- a. **Alternative lodging.** The judicial branch requires a good faith effort to locate establishments within the identified maximum rates. Attach a list of at least three moderately priced establishments contacted, the dates of the contacts, phone numbers, contact persons, rates available, and any other results of the contacts.
 - b. **Transportation to and from alternative lodging.** Either the cost or the loss of productive time required by travel between the work location and a less expensive lodging establishment can justify exceeding the rate difference (explain efforts to obtain transportation, and provide a cost comparison analysis).
 - c. **State business conducted at a designated lodging establishment** (attach an agenda and supporting documentation). Address the availability of alternative lodging, as identified above.
 - d. **Required attendance.** An exception can be authorized when attendance is required at a state conference, convention, business meeting, or training where the contracted facility exceeds the maximum daily lodging allowance (provide specific facts, including confirmation related to this criterion).
 - e. **Attendance at a non-state-sponsored function.** An exception can be authorized when a participant in a non-state-

⁴ The Victim Compensation and Government Claims Board (BOC) authorize this procedure. Although Government Code section 69505 requires the Administrative Director of the Courts to annually recommend to the Judicial Council policies, schedules, and procedures for reimbursement of travel expenses for judges and employees of the trial courts, the BOC is authorized to adopt regulations for travel reimbursement for the State judicial branch officers and employees per Government Code Section 13920. To that extent, the BOC regulations govern the travel guidelines throughout the judicial branch. As long as local policy falls within the guidelines identified within this section, the trial court may adopt additional procedures that are applicable to the lodging exception requests. Form replacement or substitution may be submitted for consideration to the AOC's Internal Audit and Trial Court Fiscal Services units per Procedure FIN 2.02, Internal Controls.

sponsored function will not stay at the designated function site. Explain the circumstances; provide specific facts that prevent on-site lodging. Please note that an exception will not be authorized solely for the convenience of the traveler.

4. Request an exception in advance of travel for lodging expenses that exceed the following maximum rates:
 - a. **In-State.** The rate of \$110, excluding tax and surcharges, for lodging during regular statewide travel in counties other than Alameda, San Francisco, San Mateo, and Santa Clara (includes state-sponsored and co-sponsored functions such as conferences, conventions, business meetings, and training classes).
 - b. **In-State.** The rate of \$140, excluding tax and surcharges, for lodging in the counties of Alameda, San Francisco, San Mateo, and Santa Clara (includes state-sponsored or co-sponsored functions such as conferences, conventions, business meetings, and training classes).
 - c. **In-State.** The rates of \$110 or \$140, whichever is applicable, excluding tax and surcharges, for non-state sponsored functions (conferences, conventions, business meetings, and training classes) if the participant does not stay at the conference, convention, or meeting site. An exception request for such an alternative site is rare and shall be authorized only in instances justified as a result of official state business (i.e., schedule conflicts due to multiple meetings at various sites, no room available, and so forth). Business meetings authorized under this section are meetings with formal agendas requested by outside entities at locations over which the employee has no control.
 - d. **Out-of-State.** Lodging expenses will be reimbursed for the actual incurred costs up to the federal lodging rate, plus tax and surcharges, when substantiated by receipts. The U.S.

Department of State Standardized Regulations (federal) lodging rates are accessible on the Internet at www.state.gov/m/a/als/prdm/ (click on General Services Administration: Domestic Per Diem Rates).

5. The Department of General Services and American Express have joined together to provide an on-line lodging directory for state travelers, which may be accessed at www.travelcsg.com.

The on-line directory does not contain a complete listing of all hotels, but may be used as a guide in locating hotels that offer the state-lodging rate.

6. It is the responsibility of the appropriate approval level to ensure reasonableness and completeness of the Exception Request for Lodging form. An incomplete form or a form with inadequate justification shall be returned unprocessed. If advance approval is not obtained, the traveler shall be reimbursed only for the specified maximum rate plus tax and surcharges.
7. The appointing power designee must retain exception request documents for three years and have them available for audit, if needed.

6.1.7 Hotel/Motel Transient Occupancy Tax Waiver

1. Trial court employees qualify for the State of California Transient Occupancy Tax exemption. The Transient Occupancy Tax is a tax imposed by cities and counties on hotel and motel lodging rates within the State of California. This tax may be waived and your lodging rate reduced if you show proof that you are a representative or employee of the State on official business.
2. Trial court employees should attempt to have the Transient Occupancy Tax waived for all hotel/motel rooms they stay in while on State business. It is recommended that you inquire about this discount when making reservations. The “Hotel/Motel Transient Occupancy Tax Waiver” form (Std. 236) must be completed in order to qualify for the discount. A copy of the “Hotel/Motel Transient Occupancy Tax Waiver” form (Std. 236) is provided in section 7.0, Associated Documents. However, the waiver of the tax is strictly voluntary at the option of the lodging establishment.

6.2 State of California Motor Vehicle Liability Program Coverage

1. **Court- Owned Vehicles.** First-dollar liability coverage is provided for judicial officers and court employees authorized to drive court-owned vehicles in the course and scope of employment. That is, if a judicial officer or court employee is authorized to drive a court-owned vehicle in the course and scope of their employment at the time of an accident, the State Motor Vehicle Liability Program provides full protection against third-party claims arising out of that accident. The program does not cover damage to the court vehicle. Repairs for such damage are arranged and paid for directly by the court. If a court-owned vehicle is damaged as a result of negligence by a third party, ORIM will initiate action to recover from that party the cost to repair or replace the damaged vehicle.

2. **State Vehicles.** The Department of General Services, Office of Fleet Administration (OFA) operates seven garages where courts may obtain state vehicles, either on a daily basis or from month-to-month. First-dollar liability coverage is provided for judicial officers and court employees authorized to drive state vehicles in the course and scope of employment. In addition to insurance, OFA rates include fuel, oil, maintenance, vehicle repair costs, and roadside assistance. At no additional cost, a fuel card is also provided for each vehicle. The court should be aware that it may be billed for damage to the vehicle caused by operator misuse, abuse, failure to perform maintenance (for month-to-month leases), negligence, or damage caused to the vehicle while operated by a person other than a court employee.
3. **State Commercial Vehicle Contractors.** To obtain the benefit of \$500,000 liability coverage when driving on court business, judicial officers and trial court employees should rent vehicles for short-term use only from the state-contracted companies. However, please be aware that the liability insurance will not be activated unless the traveler uses one of the recognized methods of payment.
4. **Non-Contract Commercial Vehicle Company.** If the use of a non-contract company is justified, the liability insurance offered through the Motor Vehicle Liability Program will provide adequate coverage for court travelers on official business. However, the program does not cover damage to the rental vehicle. Repairs for such damage are paid for directly by the court. If the accident is a result of negligence on the part of a third party, ORIM will initiate action to recover from that party the cost to repair or replace the damaged vehicle. If the use of the vendor is not justified, however, the state's liability insurance is not applicable and all expenses will be charged to the traveler's court. If the use of the vendor is not justified, however, the state's liability insurance is not applicable and all expenses will be charged to the traveler's court. Claims not covered by ORIM should

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be sent to AOC's Office of the General Counsel (OGC), which will work with the court to resolve them.

5. **Long-Term Leases.** The Motor Vehicle Liability Program provides liability coverage for vehicles leased in the name of the court on a long-term basis when the vehicle is being used in the course and scope of employment. The program does not provide coverage of comprehensive or collision damage to vehicles under long-term leases.
6. **Privately Owned Vehicles.** Judicial officers and court employees authorized to drive their own vehicle in the course and scope of employment should be aware that, in case of an accident, their own personal vehicle liability insurance provides the primary protection up to the policy limit. Should a settlement or judgment arising out of that accident exhaust the policy limit, the state's Motor Vehicle Liability Program provides unlimited excess coverage.
7. **Out-of-State and International Vehicle Coverage.** The Motor Vehicle Liability Program provides coverage as referenced above for state commercial vehicle contractors or a non-contract commercial vehicle company, whichever is applicable. ORIM recommends buying liability insurance coverage for international travel and will assist in obtaining it in accordance with the laws of the foreign country.
8. **Annual Certification.** The court determines which judicial officers and court employees are authorized to drive in the scope and course of their duties. Each judicial officer and employee authorized to drive any vehicle must complete an Annual Certification. The Annual Certification serves a dual purpose: (1) it is the mechanism to request approval to use a privately owned vehicle on official court business, verifying that the judicial officer or court employee has personal automobile liability coverage in force on the personal vehicle, with a

minimum protection of \$15,000 per occurrence and \$30,000 in the aggregate; and (2) acknowledgement of insurance coverage limitations for non-judiciary passengers. It is the employee's responsibility to inform his or her appropriate approval level of any personal automobile liability coverage changes during the year.

Annually, the form must be verified and signed by each authorized judicial officer and employee, and his or her appropriate approval level. The approver must retain the original form on file. Unless it is a condition of employment, employees are not required to use their personal vehicle for business purposes.

9. **Medical Coverage for Judicial Officers/Court Employees.** The state's Motor Vehicle Liability Program does not provide coverage for medical costs resulting from an injury to a judicial officer, employee, or occupants of a court-operated vehicle. In the event of an accident, an injury to a judicial officer or an employee of the court is handled through workers' compensation.
10. **Insurance Coverage Limitations for Passengers.** Transporting any persons other than those directly involved in official court business is prohibited unless written permission has been obtained in advance for each trip by the employee's appropriate approval level. In those limited situations when advance approval has been obtained, neither the state's Motor Vehicle Liability Program nor the workers' compensation system will pay for any loss or expense, including medical expenses, of a non-judiciary passenger, including a family member, resulting from any injury or accident in a court-operated vehicle. The non-judiciary passenger or family member is responsible for all such costs and expenses. Typically, the non-judiciary passenger or family member's health insurance provider would cover these expenses.

- 11. Motor Vehicle Accidents and Reporting.** All motor vehicle accidents involving any vehicle being used on court business must be reported within 48 hours to ORIM, 1325 J Street, Suite 1800, Sacramento, CA 95814. To accomplish this, travelers must complete a Vehicle Accident Report, Standard Form 270, as soon as possible and send or fax it to:

Michael Quinones
Business Services Unit
Administrative Office of the Courts
455 Golden Gate Avenue
San Francisco, CA 94102-3688
Telephone: 415-865-7988
Fax: 415-865-4326

- a. Business Services will: (1) review the form; (2) investigate the circumstances surrounding the accident; (3) verify that the employee was on official court business; (4) coordinate the completion of the Supervisor's Review of Motor Vehicle Accident, Standard Form 274; and (5) send the forms to ORIM.
- b. If the accident resulted in bodily injury or significant property damage to a non-court party, the accident must be reported directly to ORIM by telephone during normal working hours at 916-376-5300 or by a preliminary copy of the Standard Form 270, sent by fax to 916-376-5277. On weekends or holidays, call 916-376-5295 and leave a voicemail message, which will be returned on the next business day. This preliminary report by telephone or fax does not relieve the traveler of the responsibility of sending or faxing the Standard Form 270 to the AOC's Business Services Unit as soon as possible.
- c. At the accident scene, do not admit fault or make any promises that the court will pay for damages. ORIM handles all decisions on accident claims. If a claimant contacts you, refer the claimant

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directly to ORIM at 916-322-0459 to expedite the handling of the claim.

- d. A Vehicle Accident Report, Standard Form 270, and an Accident Identification Card should be placed in the glove compartment of all court-owned or -leased vehicles. The Accident Identification Card serves as evidence of financial responsibility and states: "This vehicle is owned or leased by a superior court of the State of California, a public entity, and operated by judicial officers or employees of the court. California Vehicle Code sections 16000, 16021 et seq. state that ownership or lease of a vehicle by a public entity establishes evidence of financial responsibility." This card should be completed at the scene of an accident and provided to the other driver.
- e. Copies of the Vehicle Accident Report, Standard Form 270, may be acquired online from the ORIM Web site at <http://www.orim.dgs.ca.gov>.

6.3 Travel Procedures

It is necessary to document business travel expenses with receipts showing the actual amounts spent on food, lodging, transportation and other miscellaneous items. Receipts are needed to claim reimbursement for:

- a. Air travel.
- b. Rental cars.
- c. Other forms of transportation including buses, trains, taxis, etc.
- d. Parking.
- e. Seminar registration.
- f. Hotel lodging.

- g. Meals. (If covered by not-to-exceed maximums, receipts for meals need not be submitted. However, meal receipts should be retained for IRS documentation purposes.)

6.3.1 Trial Court Vehicle Use

For travel in trial court-owned vehicles, proper receipts documenting expenses for gasoline, oil, parking, and any other necessary costs are required for reimbursement.

6.3.2 Personal Vehicle Mileage

1. When the use of a personal vehicle is approved for trial court business, a Mileage Claim form must be completed for reimbursement. The Mileage/Travel Reimbursement Claim must contain a description of the trip including the date of travel, destination, and total miles driven for business purposes.
2. Trial court judges and employees submitting claims for reimbursement for personal vehicle use should note the following:
 - a. Travel between home and a judge's or employee's regular place of work is not reimbursable.
 - b. Travel between home or headquarters, whichever is the lesser distance, and a court business destination other than a judge's or employee's regular place of work is reimbursable.
 - c. Travel between court locations is reimbursable.
3. Prior to authorizing the use of a personal vehicle, the approver will ensure personal liability insurance requirements have been satisfied. However, unless it is a condition of employment, employees are not required to use their personal vehicle for business purposes. It is the employee's responsibility to inform his

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or her appropriate approval level of any personal automobile liability coverage changes during the year.

6.4 Travel Expense Reimbursement

1. Reimbursable travel expenses are limited to the authorized, actual, and necessary costs of conducting the official business of the trial court and the limits established in the published AOC's travel guidelines. Trial court Travel Reimbursement Claims shall be processed and paid at least monthly.
2. Travel expense reimbursements shall be paid from the Trial Court Operations Fund.⁵

6.4.1 Submittal of Travel Reimbursement Claims

Judges and employees who incur reimbursable business travel costs must submit a completed Travel Reimbursement Claim form, which:

- a. Is approved and signed by the judge's or employee's appropriate approval level.
- b. Includes only allowable expenses paid by the judge or employee.
- c. Is supported by receipts for airline tickets, lodging, car rentals, and any other expenses that may be defined locally, which must be attached.
- d. Provides written justification for any unusual expenses.
- e. Notes the business purpose of the trip.
- f. The AOC has developed an electronic Travel Expense Claim form that maybe used to provide a simple and convenient means of documenting travel expenses for reimbursement purposes. Use of

⁵ Government Code 69505 (c).

the electronic form is recommended and it is included in the Associated Documents at the end of this procedure.

6.4.2 Allowable Expenses

1. The following types of expenses are allowable and reimbursable for trial court business travel:
 - a. **Airfare.** Air travel should be obtained at the lowest convenient airfare. Only the cost of coach class air travel is allowable.
 - b. **Surface Transportation.** The cost of surface transportation by train, bus, taxi, rented vehicle, private or trial court-owned vehicle is allowable. If surface transportation is chosen in lieu of available commercial air travel, the total mileage reimbursement cannot exceed the amount of the coach airfare available to the court.
 - c. **Mileage.** The mileage rate for reimbursement when personal vehicles are used in the course of trial court business will be established by the published AOC travel policy. Parking and toll charges are also reimbursable.
 - d. **Lodging.** Actual costs incurred for overnight lodging are allowable up to the maximum rate established by the published AOC travel policy or approved lodging exception request rate.
 - e. **Meals.** Trial court judges and employees may be reimbursed for meals consumed during business travel. Meals to be reimbursed should be itemized as breakfast, lunch or dinner. The maximum allowable reimbursement for each meal is established by the published AOC travel policy.

According to the Internal Revenue Code, meal costs for same-day travel, even if reimbursed by the employer, are a personal expense, not a "business expense," which means meal costs

for same-day travel are subject to taxation, except as noted below:

Meal reimbursements for travel less than 24 hours are non-taxable and non-reportable when:

- i. Travel includes an overnight stay
- ii. Meals provided to attendees are included as part of a conference curriculum or business meeting.

- f. **Personal Services Charges/Incidentals.** Actual amounts paid as incidentals for services such as baggage handling, etc., are allowable up to the not-to-exceed maximum costs established by the published AOC travel policy.
 - g. **Expenses of Other Judges and Employees.** Trial court judges and employees may be reimbursed for business expenses incurred for other judges and employees provided the specific business reason for the expense is indicated along with the names and affiliations of the others involved. This is intended for common business travel situations where it is practical for one individual to pay for an expense rather than divide it among several individuals (e.g., a restaurant bill for a group of judges and/or employees traveling together).
2. The travel rate guidelines approved annually by the Judicial Council provide specific information regarding the current limitations that apply to allowable travel expenses. The travel rate guidelines may be downloaded from the Serranus website www.serranus.courtinfo.ca.gov.

6.4.3 Unallowable Expenses

Expenses incurred for the sole benefit of a trial court judge or employee shall not be allowed as reimbursable travel expenses. Examples of unallowable expenses include any type of insurance,

travel loan finance charges, personal credit card fees or dues, newspapers, magazines, and other like charges.

- a. **Alcoholic Beverages.** The purchase of alcoholic beverages is not allowed as a reimbursable travel expense.
- b. **Personal Telephone Charges.** Personal telephone charges that are not court business related are not allowed as reimbursable travel expense.
- c. **Surface Transportation in Lieu of Air Travel.** The costs of meals, lodging, or other travel expenses incurred as a result of choosing surface transportation instead of air travel are not allowable. As stated above in Section 6.3.2, the total fare or mileage reimbursed may not exceed the amount of the coach airfare available to the trial court.

6.5 Expense Restrictions

1. Effective October 1, 2003 judges, commissioners, and those non-represented personnel who earn over \$100,000 per year will no longer qualify for reimbursement for travel-related lunch meals. This pertains to all calendar days and refers to those lunch meals that would otherwise be claimed on a travel expense claim. This does not include those lunch meals that are provided at conferences and included in registration fees.
2. To protect the resources allocated to the judicial branch that support the basic constitutionally and statutorily required operations of the branch, all judges, commissioners, and non-represented personnel who earn more than \$100,000 per year will not be reimbursed for professional association dues that are due or owing on or after January 1, 2004. This restriction does not affect reimbursement of the costs of licenses that are a requirement of the position (e.g., State Bar licenses).

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6.6 Travel Expense Reimbursement of Non-Superior Court Employees (Pro-Bono Consultants)

Pro-bono consultants are individuals serving as experts in specialized areas who receive no salary. Since their expertise is needed for limited periods, a written contract may not be required. Headquarters should be established, listed on each travel expense claim, and kept on file by the appropriate approval level. Pro-bono consultants are eligible for reimbursement of actual travel expenses supported by a receipt up to the maximum rates identified in AOC's travel rate guidelines.

7.0 Associated Documents

State of California Travel Expense Claim form and instructions
Hotel/Motel Transient Occupancy Tax Waiver
AOC Travel Rate Guidelines
State of California Annual Certification to Use Privately Owned Vehicles
Lodging Exception Form

Travel Expense Reimbursement for Trial Court Judges and Employees

STATE OF CALIFORNIA TRAVEL EXPENSE CLAIM (AOC - TC Electronic) Revised 10/02														See Instructions and Privacy Statement* in Tabs 2 and 3				Page <u>1</u> of <u> </u>	
CLAIMANT'S NAME						SSN OR EMPLOYEE NUMBER*				COURT									
POSITION/TITLE						OFFICE				E-MAIL ADDRESS									
RESIDENCE ADDRESS						HEADQUARTERS ADDRESS				TELEPHONE NUMBER									
CITY		STATE		ZIP CODE		CITY		STATE		ZIP CODE									
(1) MONTH/YEAR		(3) LOCATION WHERE EXPENSES WERE INCURRED	(4) LODGING	(5) MEALS			(6) INCIDENTALS	(7) TRANSPORTATION				(8) BUSINESS EXPENSE	(9) TOTAL EXPENSES FOR DAY						
(2) DATE	(2) TIME			BREAK-FAST	LUNCH	DINNER		(A) COST OF TRANS.	(B) TYPE USED	(C) CARFARE TOLLS PARKING	(D) PRIVATE CAR USE MILES AMOUNT								
1													1						
2													2						
3													3						
4													4						
5													5						
6													6						
7													7						
8													8						
9													9						
10													10						
11													11						
12													12						
13													13						
(10) SUBTOTALS																			
COLUMN CODE (ACCTG USE ONLY)																			
CLAIM TOTAL																			
(11) PURPOSE OF TRIP, REMARKS, AND DETAILS (Attach receipts/vouchers when required)												ACCOUNTING OFFICE USE ONLY							
												CLAIMANT #							
												INVOICE DATE							
												INVOICE AMOUNT							
												ACCOUNT #							
(12) NORMAL WORK HOURS				(13) PRIVATE VEHICLE LICENSE NUMBER				(14) MILEAGE RATE CLAIMED				PAID BY REVOLVING FUND CHECK NUMBER							
(15) I HEREBY CERTIFY that the above statement is a true statement of the travel expenses incurred by me in accordance with the State of California travel reimbursement policy and guidelines as included in the Trial Court Financial Policies and Procedures Manual.																			
CLAIMANT'S SIGNATURE						DATE		(16) SIGNATURE, OFFICER APPROVING TRAVEL AND PAYMENT				DATE							

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**STATE OF CALIFORNIA
TRAVEL EXPENSE CLAIM (TEC) FORM**

GENERAL TEC INSTRUCTIONS

All TEC's must be completed in ink (other than black), unless electronically printed. Completion of the upper portion of the form in its entirety is required. "Headquarters" is defined as the traveler's primary place of assigned employment. Submit the signed original and two copies with supporting documentation within 30 days of travel. Receipts should be arranged in chronological order and taped onto an 8 1/2 x 11 sheet of paper.

1. **MONTH/YEAR** – Enter numerical designation of calendar month and four digit year which expenses were incurred. Example: 8 – 2002 (August 2002).
2. **DATE & TIME** – Enter numeric day of the month. **Time of departure and return must be entered using a 24-hour clock, example: 1700 = 5:00 p.m.** If departure and return are same date, enter departure time above and return time below on the same line. Otherwise, use two lines to enter activity.
3. **LOCATION** – Enter the location where the expenses were incurred. To be eligible for lodging and/or meal reimbursement, expenses must be incurred in excess of 25 miles from headquarters.
4. **LODGING** – Enter the actual cost of lodging not to exceed the maximum authorized rate, plus tax per day. Each day of lodging must be listed separately on the form. **An itemized receipt is mandatory.**
5. **MEALS** – **Actual amounts** not to exceed **\$6 for breakfast, \$10 for lunch, and \$18 for dinner.** One day trips: breakfast may be claimed for actual cost up to \$6 if travel begins one hour before normal work hours; dinner may be claimed for actual cost up to \$18 if travel ends one hour after normal work hours; lunch may not be claimed or reimbursed. Note: all meal reimbursement for one day trips are taxable and reportable income unless the travel included an overnight stay.
6. **INCIDENTALS** – **Actual amount up to \$6** for each full 24-hour period. Incidentals may not be claimed or reimbursed for travel of less than 24 hours or fractional days.
7. **TRANSPORTATION** – The most efficient and least costly mode of transportation shall be reimbursed.
 - a. Enter the cost of transportation. Enter "BSA" for billed to state (court), "C" for cash, "CC" for credit card, and "SCC" for state (court) credit card.
 - b. Enter the method of transportation used. Enter "A" for commercial airlines, "B" for bus, airport shuttle, light rail or BART, "PC" for privately owned vehicle, "R" for railway, "RA" for rental aircraft, "RC" for rental vehicle, "SC" for state vehicle, and "T" for taxi.
 - c. Enter carfare, bridge tolls, and parking charges. Enter "C" for carfare, "P" for parking, and "T" for tolls.

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Original receipts are mandatory for all taxi fares, shuttle fares, bridge and road tolls, public ground transportation fares, and parking fees of more than \$3.50. In cases where receipts cannot be obtained or have been lost, a statement to that effect shall be made in the expense account and the reason given. A statement as to a lost receipt will not be accepted for lodging, airfare, rental car, and/or business expenses. For a ticketless flight, submit the itinerary. The itinerary includes the same information that would be found on a ticket.

Also, the airfare itinerary and the car rental agreement must be attached to the TEC even when these items are booked and paid through the court.

8. **BUSINESS EXPENSE** – Receipts are mandatory for all business expenses, except telephone charges of \$2.50 or less. However, all telephone calls must include a statement of the party called, place, and business purpose of the call. Record business meals/business lodging in this column.
9. **TOTAL EXPENSES FOR DAY** – Daily total must be entered.
10. **SUBTOTALS/TOTAL** – Enter column totals (claim should be in balance).
11. **PURPOSE OF TRIP, REMARKS AND DETAILS** – Explain the need (purpose) for travel and any unusual expenses. Enter details or explanation of items included in above columns. The budgetary account code is mandatory and must be included on the form.
12. **NORMAL WORK HOURS** – Mandatory for meal reimbursement.
13. **PRIVATE VEHICLE LICENSE NUMBER** – Mandatory for mileage reimbursement.
14. **MILEAGE RATE CLAIMED** – Mandatory for personal car mileage reimbursement.
15. **CLAIMANT'S CERTIFICATION, SIGNATURE AND DATE** – **Mandatory.**
16. **SIGNATURE AND DATE OF APPROVING OFFICER** – **Mandatory.** (Each employee must have a legitimate and reasonable need to travel before the appropriate approval level gives his or her approval. It is inappropriate for an employee to travel without this approval. The most reasonable mode of transportation and/or lodging must be acquired when traveling. It is the approving officers responsibility to ascertain the accuracy, necessity and reasonableness of the expenses for which reimbursement is claimed.) Print and sign the form and forward the required number of copies to the approving authority.

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PRIVACY STATEMENT

The information Practices Act of 1977 (Civil Code Section 1798.17) and the Federal Privacy Act (Public Law 93-579) require that the following notice be provided when collecting personal information from individuals.

AGENCY NAME: Appointing powers, the Administrative Office of the Courts, and Superior Courts of California.

UNITS RESPONSIBLE FOR REVIEW: The accounting office within each appointing power and the Internal Audit Unit of the Administrative Office of the Courts.

AUTHORITY: The reimbursement of travel expenses is governed by Board of Control (BOC). The BOC is authorized to adopt the rules and regulations that define the amount, time, and place that expenses and allowances may be paid to State judicial branch officers and employees while on State business per Government Code Section 13920.

PURPOSE: The information you furnish will allow the above-named agencies to reimburse you for expenses you incur while on official State business.

OTHER INFORMATION: While your social security number (SSN) and home address are voluntary information under Civil Code Section 1798.17, the absence of this information may cause payment of your claim to be delayed or rejected. You should contact your department's Accounting Office to determine the necessity for this information. Please note: Your social security number is required for reportable, taxable benefits (i.e., meal reimbursement when no overnight lodging occurs, relocation reimbursement, etc.).

ELECTRONIC WORKBOOK INSTRUCTIONS

1. This Excel workbook is modeled after the STD. 262 on the website of the Office of State Publishing.
2. Excel has a feature called AutoComplete in which Excel anticipates cell data entry based on the first few characters typed, and then imposes a suggested completion for the finished cell entry. Some users find this feature disruptive to smooth data entry. To disable AutoComplete, click on the Tools menu, select Options, select the Edit tab, and unselect "Enable AutoComplete."
3. Yellow help screens will appear with many cells in the money data entry section of the worksheet. If these help screens get in the way of data entry, they can be easily moved out of the way. Simply move the mouse pointer onto the offending help screen, hold down the mouse left click, and drag the help screen out of the way.
4. Concerning header information in rows 7 through 13 (claimant's name, SSN, position, residence address, etc.) the user completes this information in its entirety. If more than one page is needed, retain header information and change page number.
5. Cells in column 7(A) [COST OF TRANS] and in column 8 [BUSINESS EXPENSE] are split vertically to allow a brief description in the upper half and the claim amount in the lower half.
6. Cells in column 7(C) [CARFARE, TOLLS, PARKING] are split both vertically and horizontally to allow two pairs of entries, with a letter code on the left and the amount on the immediate right.
7. Certain cells contain Excel droplists to assist the data entry. These cells are the MONTH/YEAR, 7(A) COST OF TRANS, 7(B) [TYPE USED], and 7(C) [CARFARE, TOLLS, PARKING].
8. All money amount data entry cells are validated to assure that amounts entered do not carry more than two decimal places (i.e. fractions of a cent).
9. The worksheets are protected worksheets. The user has access only to data entry cells. Cells that contain headings and formulas (such as row totals and column totals) are protected.
10. Cells are color coded per: informational data entry = indigo; number of miles data entry = teal; money amount data entry = red; locked cells (headings and formulas) = black.
11. Use of the code "SC" (State Car) in column (7)(B) for any line will prevent any mileage entered on that line from yielding a dollar claim amount. Mileage on State Cars is not reimbursable.
12. The DATE portion of box (2) provides a droplist which allows entry of the numeric day of the month, or entry of the month names. For RT claims (i.e. mass transit incentives programs), use the month names from the drop list, and indicate the starting month in box (1) MONTH/YEAR.
13. Do NOT use the Excel COPY/PASTE sequence to replicate data entry. Unfortunately, even in a protected worksheet, the COPY/PASTE sequence can damage cell formats and validations.

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HOTEL/MOTEL TRANSIENT OCCUPANCY TAX WAIVER
(EXEMPTION CERTIFICATE FOR STATE AGENCIES)
STD. 236 (NEW 9-91)

HOTEL/MOTEL OPERATOR: RETAIN THIS WAIVER FOR YOUR FILES TO
SUBSTANTIATE YOUR REPORTS. PARTICIPATION BY
OPERATORS IS STRICTLY VOLUNTARY

Date Executed:

HOTEL / MOTEL NAME

TO:

HOTEL / MOTEL ADDRESS (Number, Street, City, State, ZIP Code)

This is to certify that I, the undersigned traveler, am a representative or employee of the State agency indicated below; that the charges for the occupancy at the above establishment on the dates set forth below have been, or will be paid for by the State of California; and that such charges are incurred in the performance of my official duties as a representative or employee of the State of California.

OCCUPANCY DATE(S)	AMOUNT PAID
	\$

STATE AGENCY NAME
JUDICIAL COUNCIL OF CALIFORNIA

HEADQUARTERS ADDRESS

TRAVELER'S NAME (Printed or Typed)

I hereby declare under the penalty of perjury that the foregoing statements are true and correct.

EXECUTED AT: (City)	TRAVELER'S SIGNATURE	DATE SIGNED
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AOC Travel Rate Guidelines

The AOC's policy and limits on reimbursable travel-related expenses are listed below. To be eligible for lodging and/or meal reimbursement, expenses must be incurred in excess of 25 miles from headquarters.

Lodging – Receipts are required and each day of lodging claimed must be listed separately on the reimbursement claim form. Maximum rates are listed below. Exceptions may be considered on a case-by-case basis, and for centrally booked conferences or meetings.

1. In-state - Actual costs are reimbursable up to a maximum of \$110 per day, plus tax and energy surcharge. Within the counties of Alameda, San Francisco, San Mateo, and Santa Clara, the maximum rate is \$140, plus tax and energy surcharge.
2. Out-of-state – Actual costs are reimbursable with appropriate prior approval.

Meals – Actual costs are reimbursable up to the limits stated below for continuous travel of more than 24 hours.

1. Breakfast – Up to \$6.
2. Lunch – Up to \$10.
3. Dinner – Up to \$18.

Meal reimbursement for one-day trips is taxable and reportable income unless travel included an overnight stay. For continuous travel of less than 24 hours, actual expenses up to the above limits may be reimbursable if:

1. Travel begins one hour before normal work hours – Breakfast may be claimed.
2. Travel ends one hour after normal work hours – Dinner may be claimed.
Lunch may not be claimed on trips of less than 24 hours.

In accordance with agency policy, judges, commissioners, and those non-represented personnel who earn more than \$100,000 per year are not reimbursed for travel-related lunch meal expenses, effective October 1, 2003.

Incidental Expenses – Up to \$6 per day. Incidentals are not reimbursable for one-day trips; they may only be claimed after 24 hours.

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Transportation – The actual cost of tickets for air, rail, bus, rental car, or other forms of public transportation is reimbursable. The lowest cost ticket available must be purchased. Receipts are required for rental cars and air travel. For ticketless travel, the traveler’s itinerary may be submitted in lieu of a receipt.

1. The actual costs of cab fare, public parking, and tolls are reimbursable. Receipts are required for all expenses of \$3.50 or more.
2. Mileage – Personal vehicle mileage is reimbursable at a rate of \$.34 per mile
3. Privately owned aircraft – Reimbursement is \$.50 per statute mile. This reimbursement is taxable and reportable income.

Other Business Expenses – Actual cost is reimbursable. Receipts are required for all other business expenses, regardless of the amount claimed.

In the event receipts cannot be obtained or have been lost, a statement to that effect and the reason provided shall be noted in the expense account. In the absence of a satisfactory explanation, the amount involved shall not be allowed. Further, a statement explaining that a receipt has been lost shall not be accepted for lodging, airfare, rental car, or business expenses.

Receipts for telephone or telegraph charges related to court business of \$2.50 or less are not required. However, claims for phone calls must include the place and party called.

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**STATE OF CALIFORNIA
ANNUAL CERTIFICATION
TO USE PRIVATELY OWNED VEHICLES ON OFFICIAL COURT BUSINESS AND
ACKNOWLEDGEMENT OF INSURANCE COVERAGE LIMITATIONS FOR NON-JUDICIARY PASSENGERS**

Supervisor: Retain Original Copy

I. CERTIFICATION TO USE PRIVATELY OWNED VEHICLES ON OFFICAL COURT BUSINESS

In accordance with State Policy, approval is requested to use a privately owned vehicle to conduct official court business.

I hereby certify that, whenever I drive a privately owned vehicle on official court business, I will have a valid driver's license and proof of liability insurance in my possession, all persons in the vehicle will wear safety belts and the vehicle shall always be:

1. Covered by liability insurance for the minimum amount prescribed by State Law (\$15,000 for personal injury to, or death of, one person; \$30,000 for injury to, or death of, two or more persons in one accident; \$5,000 property damage). Vehicle Code Section 16020 (effective July 1, 1985) requires all motorists to carry evidence of current automobile liability insurance in their vehicles;
2. Adequate for the work to be performed;
3. Equipped with safety belts in operating condition; and
4. To the best of my knowledge, in safe mechanical condition as required by law.

I understand that the mileage rate I receive is full reimbursement for the cost of operating the vehicle on official court business including fuel, maintenance, repairs, and both liability and comprehensive insurance. If an accident occurs, I understand that my personal vehicle liability insurance provides the primary protection up to the policy limit. Should a settlement or judgment arising out of that accident exceed the policy limit, the State's Motor Vehicle Liability Program provides excess coverage.

I further certify that, while using a privately owned vehicle on official court business, all accidents will be reported to the Office of Risk and Insurance Management within 48 hours. To accomplish this, judicial officers or employees of the court must complete *Vehicle Accident Report*, Standard Form 270 as soon as possible and send it or fax it to Michael Quinones, AOC Business Services, 455 Golden Gate Avenue, San Francisco, CA 94102-3688, FAX 415-865-4326.

I understand that permission to use a privately owned vehicle on court business is a privilege, which may be suspended or revoked at any time.

II. ACKNOWLEDGMENT OF INSURANCE COVERAGE LIMITATIONS FOR NON-JUDICIARY PASSENGERS

I understand transporting any persons other than those directly involved in official court business is prohibited unless I have obtained advance approval from my supervisor for the specific trip. In those limited situations when advance approval has been obtained, I understand neither the State's Motor Vehicle Liability Program nor the workers' compensation system will pay for any loss or expense, including medical expenses, of a passenger who is not a judicial officer or judicial branch employee (a "non-judiciary passenger"), including a family member, resulting from any injury or accident in a court-operated vehicle. The non-judiciary passenger is responsible for all such costs and expenses. Furthermore, I acknowledge and agree to inform all non-judiciary passengers that there is no medical coverage under the State program for non-judiciary passengers in the event of any injury or accident.

DRIVER'S LICENSE NUMBER	STATE	EXPIRATION DATE
JUDICIAL OFFICER/EMPLOYEE SIGNATURE	PRINT NAME	DATE SIGNED

III. APPROVAL TO USE PRIVATELY OWNED VEHICLE

Use of a privately owned vehicle on Court business is approved.

APPROVING AUTHORITY SIGNATURE	TITLE	DATE APPROVED
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IV. RENEWAL

I have reviewed the above certification and approval and certify that the information provided is correct and valid.

JUDICIAL OFFICER/EMPLOYEE SIGNATURE	APPROVING AUTHORITY SIGNATURE	DATE APPROVED
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STATE OF CALIFORNIA EXCEPTION REQUEST FOR LODGING AOC (REV. 7/03)		JUDICIAL COUNCIL OF CALIFORNIA ADMINISTRATION OFFICE OF THE COURTS	
INSTRUCTIONS: Prior approval in advance of travel is required for amounts that exceed the maximum lodging rates, excluding tax and surcharges. Submit APPROVED request with Travel Expense Claim ACCT 262. Please print or type all information.			
<input type="checkbox"/> Regular Statewide Travel over \$110.00, plus tax and surcharges, per night (Attach documentation)	<input type="checkbox"/> Designated High Cost Areas over \$140.00, plus tax and surcharges, per night (Attach documentation)	<input type="checkbox"/> Non-State Sponsored Conference/ Convention, did not stay at function site (Attach documentation)	<input type="checkbox"/> Out-of-State travel (Attach documentation)
CLAIMANT'S NAME		WORK PHONE NUMBER	HEADQUARTERS/CITY
CLAIMANT'S PRIMARY RESIDENCE STREET ADDRESS (Include city, state & zip code)			
DEPARTMENT		DIVISION/COURT	
TRAVEL DATE FROM (month/day/year)		TRAVEL DATE TO (month/day/year)	
POINT OF ORIGIN		DESTINATION	
REASON FOR TRIP			
LODGING ESTABLISHMENT NAME		ROOM RATE \$	
STREET ADDRESS (Include city, state & zip code)			
REASON FOR HIGHER LODGING RATE (check which apply)			
<input type="checkbox"/> Alternate lodging not available		<input type="checkbox"/> Required to stay at contracted lodging site	
<input type="checkbox"/> Cost of alternate lodging and/or transportation equal to or greater than amount requested (include cost comparison)		<input type="checkbox"/> Attendance at a non-State sponsored function, but participant will not stay at the designated function site.	
<input type="checkbox"/> State business will be conducted at designated lodging establishment (attach agenda and supporting documentation)		<input type="checkbox"/> Other (specify below	
EXPLAIN WHY THE ABOVE REASON(S) APPLY--LIST HOTELS SURVEYED (minimum of 3) AND RESULTS (Attach additional page(s) if necessary).			
(Attach copies of agenda, lodging requirements, registration, cost comparison analysis, comparable bids, etc.)			
APPROVAL			
CLAIMANT'S SIGNATURE		TITLE	DATE SIGNED
CONTACT/LIAISON (PRINT OR TYPE)		TITLE	CONTACT NO.
SUPERVISOR/PROJECT MANAGER AUTHORIZATION (SIGNATURE)		TITLE	DATE SIGNED
APPOINTING POWER DESIGNEE APPROVAL (SIGNATURE)		TITLE	DATE SIGNED